

The Honorable James L. Robart

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
JAMES ARTHUR O'MARA,  
Defendant.)

NO. CR04-261JLR

**ORDER GRANTING  
STIPULATED MOTION TO  
CONTINUE TRIAL DATE**

THIS MATTER comes before the Court on the stipulated motion of the parties to continue the trial date. The Court, having considered the stipulation, and being otherwise fully advised, hereby makes the following findings:

1. The Court finds that a failure to grant the requested continuance would deny counsel reasonable time necessary for effective preparation for trial, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(8)(B)(iv). Specifically, the defense has provided the Government with certain reports pertaining to defendant's mental condition. Both parties require additional time to evaluate this proffered evidence, and to explore the need for further evaluations before determining how to proceed.

2. The Court further finds that the ends of justice would be served by ordering a continuance in this case, in that a continuance is necessary to insure effective

**ORDER GRANTING STIPULATED MOTION TO  
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(O'MARA CR04-2611L R)

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1 trial preparation, and that these factors outweigh the best interests of the public in a  
2 speedy trial, within the meaning of 18 U.S.C. § 3161(h)(8)(A).

3 IT IS THEREBY ORDERED that the trial date is hereby extended from March  
4 28, 2006, until April 25, 2006.

5 IT IS FURTHER ORDERED THAT the time period between March 28, 2006  
6 and April 25, 2006 is excludable time pursuant to 18 U.S.C. §§ 3161(h)(1)(A) and  
7 (h)(8)(A), for purposes of computing the time limitations imposed by the Speedy Trial  
8 Act, 18 U.S.C. § 3161 *et seq.*

9 DONE this 22nd day of March, 2006.

10  
11 s/James L. Robart

12 THE HONORABLE JAMES L. ROBART  
13 UNITED STATES DISTRICT COURT JUDGE

14 Presented by:

15 John R. McKay, United States Attorney

16 By: /s/ Vincent T. Lombardi  
Assistant United States Attorney

17 Agreed to by Stipulation, Approved as to form,  
18 Notice of Presentation Waived

19 Zulauf & Chamblis

20 /s/ Jon R. Zulauf  
21 Jon R. Zulauf  
22 Attorney for Defendant  
(by telephone authority)

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ORDER GRANTING STIPULATED MOTION TO  
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